

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

-against-

RIAD KHALIL,

Defendant.  
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**MEMORANDUM AND ORDER**

09-CR-215 (ENV)

VITALIANO, D.J.

In scheduling a hearing on the motion of *pro se* Dr. Jeffrey Lucido to quash/modify defendant's subpoena, the Court advised defendant's counsel telephonically that the docket did not reflect any request by defendant for a Fatico hearing. In response, defendant's counsel advised that the subpoena of Dr. Lucido was withdrawn. Accordingly, the motion of Dr. Lucido to quash/modify the subpoena is denied as moot. The Clerk will advise Dr. Lucido by mail.

SO ORDERED.

Dated: Brooklyn, New York  
June 23, 2010

/s/\_\_\_\_\_  
ERIC N. VITALIANO  
United States District Judge